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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/961,388	09/25/2001	Masaaki Kuriyama	325772025400	5496

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EXAMINER

VU, THANH T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/961,388	Applicant(s) KURIYAMA ET AL.	
	Examiner Thanh T. Vu	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to Amendment, Filed 08/06/04.

Claims 1-18 are pending in this application. This action is made Final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-7, 9-10, and 12-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Crow et al. ("Crow" US 6,538,665).

As per independent claim 1, Crow teaches an image processor comprising:

a display device displaying a dynamic image, the dynamic image having a plurality of temporally consecutive frame images (*timeline*, col.2, lines 36-42);

a stopping device stopping a display of the dynamic image displayed on the display device with an optional timing (*stop graphical indicator*, col.2, lines 42-43); and

a display controller displaying a plurality of still images on the display device, the plurality of still images being a frame image displayed with a stop timing and a group of frame images in a specified range having the stopped frame image as a center frame image, and the

optional timing capable of being set to increase a temporal separation between adjacent frame images in the group of frame images (col.3, lines 27-43).

As per claim 2, which is dependent on claim 1, Crow teaches wherein the display controller does not display the dynamic image when displaying a still image (col.1, lines 10-14; col.10, lines 54-65).

As per claim 3, which is dependent on claim 1, Crow teaches a selector selecting one image among the images displayed on the display device for specific processing (Fig.5A, col.14, lines 32-46).

As per independent claim 5, Crow teaches an image processor comprising:

a display device displaying a dynamic image, the dynamic image having a plurality of temporally consecutive frame images (*timeline*, col.2, lines 36-42),.

a stopping device stopping a display of the dynamic image displayed on the display device with an optional timing (stop graphical indicator, col.2, lines 42-43);

a display controller displaying a plurality of still images on the display device, the plurality of still images being a frame image displayed with a stop timing and a group of frame images in a specified range having the stopped frame image as a center frame image (*chapters*, col.3, lines 27-43); and

a setting device setting a time spacing between frame images in the group of frame images (*speed of cursor movement*, col.16, lines 30-41).

As per claim 6, which is dependent on claim 5, Crow teaches wherein the display controller is capable of modifying the time spacing, and updating the display of the display device to display the popup of frame images at a modified time interval (col.16, lines 49-58).

Claim 7 is similar to claim 3, and is therefore rejected under similar rationale.

As per independent claim 9, Crow teaches an image processor comprising:

a display device displaying a dynamic image, the dynamic image having a plurality of temporally consecutive frame images (*timeline*, col.2, lines 36-42).,

a stopping device stopping the display of the dynamic image displayed on the display device with an optional timing (*stop graphical indicator*, col.2, lines 42-43); and

a display controller subjecting a frame image displayed with a stop timing to image processing and display on the display device when the dynamic image is stopped by the stopping device, and the display subjecting a group of frame images temporally before and after a center frame image to image processing and display as still images on the display device (col.18, lines 4-17).

Claim 10 is similar to claim 3, and therefore is rejected under similar rationale.

Claims 12 and 15 are similar to claim 1, and therefore is rejected under similar rationale.

Claims 13 and 16 are similar to claim 5, and therefore is rejected under similar rationale.

Claims 14 and 17 are similar to claim 9, and therefore is rejected under similar rationale.

As per independent claim 18, Crow teaches an image processing apparatus comprising:

a display device displaying a dynamic image and a first plurality of still images (col. 2, lines 36-42);

a selector selecting one of the dynamic image and the first plurality of still images (col.27, lines 17-24).,

a stopping device stopping a display of the dynamic image displayed, when the dynamic

image is selected, on the display device with an optional timing (*stop graphical indicator*, col.2, lines 42-43); and

a display controller displaying a second plurality of still images on the display device, the second plurality of still images being a frame image displayed with a stop timing and a group of frame images in a specified range having the stopped frame image as a center frame image (chapters, col.3, lines 27-43).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crow et al. ("crow" US 6,538,665).

While Crow teaches the invention substantially as claimed, Crow does not expressly teach a printing device printing the one image selected by the selector. Official Notice is given that the use of printing devices for printing images is notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the use of this feature with Crow's image processor in order to provide users with a hard copy of images.

Response to Arguments

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Art Unit: 2174

Applicant's primary argument is that Crow does not teach "displaying a plurality of still images on the display device, the plurality of still images being a frame image displayed with a stop timing and a group of frame images in a specified range having the stopped frame image as a center frame image". The examiner does not agree because Crow teaches displaying a plurality of still images on the display device, the plurality of still images being a frame image displayed with a stop timing and a group of frame images in a specified range having the stopped frame image as a center frame image (col. 3, lines 27-43 and further in col. 17, lines 45-67 and col. 18, lines 18-32. The examiner considers a center frame image as a frame at a selected time is displayed in window 202 when the current time marker 274 is moved (see col. 17, lines 61-66)).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2174

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu


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